REMARKS

Claims 1, 8, and 20 are amended. Claims 26-52 are cancelled. No new claims are added. Claims 1-25 are now pending in the application. The amendments to the claims as indicated herein do not add any new matter to this application. Furthermore, amendments made to the claims as indicated herein have been made to exclusively improve readability and clarity of the claims and not for the purpose of overcoming alleged prior art. Each issue raised in the Office Action mailed December 29, 2008 is addressed hereinafter.

I.   ISSUES NOT RELATING TO PRIOR ART

A.   DRAWINGS

Corrected drawings are herewith included in conformance with the requirements of the Office Action. Specifically, Fig. 1 is amended to include the legend "--Prior Art--" as indicated by the Office Action.

B.   SUPPLEMENTAL OATH OR DECLARATION

The Office Action alleges that "Applicant is required to provide a supplemental oath or declaration under 37 CFR 1.67 referring to the preliminary amendment." Applicants respectfully disagree with this requirement. However, in the interest of expediting prosecution, Claims 26-52, which were added to the application in the preliminary amendment, are cancelled and the allegation of the Office Action is considered moot. Reconsideration is respectfully requested.

C.   SPECIFICATION

The Office Action objects to the preliminary amendment filed on August 3, 2004 as allegedly introducing new matter into the disclosure. As previously indicated, Claims 26-52 are cancelled, and this objection by the Office Action is considered moot. Reconsideration is respectfully requested.

D.   35 U.S.C. § 112, CLAIMS 26-52

The Office Action rejects Claims 26-52 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. These objections and rejections are respectfully traversed. Applicants respectfully disagree with this allegation of the Office Action, but to expedite prosecution, Claims 26-52 are cancelled, and the rejection by the Office Action with respect to Claims 26-52 is considered moot. Reconsideration is respectfully requested.

E.   ALLOWABLE SUBJECT MATTER, CLAIMS 5, 7, 12, 18, AND 24

Claim 7 is allowed and Claims 5, 12, 18, and 24 are objected to as being dependent upon a rejected base claim.

II.   ISSUES RELATING TO PRIOR ART

A.   CLAIMS 1-3, 8-10, 14-16, AND 20-22

Claims 1-3, 8-10, 14-16, and 20-22 are rejected under 35 U.S.C. § 102(e) as allegedly unpatentable over U.S. Patent No. 7,359,377 to Kompella et al. ("Kompella"). The rejection is respectfully traversed.

Claim 1 recites:

A method of restarting resource reservation protocol (RSVP) processes in multiple network devices, the method comprising the computer-implemented steps of:
entering a recovery mode;
sending a Hello message to a first neighbor RSVP node, after entering the recovery mode, wherein the Hello message comprises a non-zero Recovery Time value;
completing the recovery mode, after sending the Hello message;
sending a Hello message to the first neighbor RSVP node, after completing the recovery mode, wherein the Hello message comprises a Recovery Time value of zero.

At least the above-bolded features of Claim 1 are not taught or suggested by Kompella.

The Office Action cites Kompella Figs 6 and 8; Col 10, Lines 44-57; Col 10, Line 39; and

Col 22, Lines 50-58 for allegedly teaching "sending a Hello message to a first neighbor RSVP

node, after entering the recovery mode, wherein the Hello message comprises a non-zero

Recovery Time value" recited by Claim 1. This is incorrect.

Kompella Fig 6 illustrates "a flow diagram of an exemplary method for providing a

restarting node with a graceful restart." (Kompella Col 7, Lines 1-2). Kompella Col 10, Line 39

indicates that the graceful restart method illustrated in Fig 6 "may be effected by a restarting

node." The Office Action interprets the "advertise restart capability 605" of Kompella Fig. 6 to

be the "Hello message" recited by Claim 1. However, the "advertise restart capability 605" is

explicitly indicated by Kompella to be used "**before restart is ever initiated**." (Kompella Col

10, Line 44). In contrast, Claim 1 recites that the "Hello message" of Claim 1 is sent "**after**

entering the recovery mode." It is well-known in the art that a "recovery mode," as recited by

Claim 1, occurs subsequent to the restart of an RSVP process. (See, e.g., Specification

paragraphs [0014], and [0034]). Therefore, because the "advertise restart capability 605" of

Kompella is used "before restart is ever initiated," the recitation of Kompella in Fig. 6 is

insufficient to teach or suggest "sending a Hello message to a first neighbor RSVP node, **after**

entering the recovery mode" recited by Claim 1.

Kompella Fig 8 illustrates "a timing diagram illustrating an example of operations of a

restarting node and a neighbor or peer of the restarting node." (Kompella Col 7, Lines 6-8). Fig

8 of Kompella describes sending an "open/hello" message 830 from Node B (restarting node) to

Node A (peer to restarting node) prior to initiating a restart, i.e., 835 restart initiated. Kompella

indicates that "message 830 may . . . include a restart time and/or a recovery time." (Kompella

Col 10, Lines 44-57). The Office Action interprets the "open/hello" message 830 of Kompella to

be the "Hello message" recited by Claim 1. However, the "Hello message" of Claim 1 is sent

"**after entering recovery mode**." In contrast, the "open/hello" message 830 of Kompella Fig 8

is placed in the timeline of Fig 8 **prior to initiating restart**. Therefore, Fig 8 of Kompella does

not teach or suggest "sending a Hello message to a first neighbor RSVP node, **after entering the**

recovery mode" as recited by Claim 1.

Furthermore, Kompella Col 22, Lines 50-58 fail to teach or suggest "sending a Hello

message to a first neighbor RSVP node, after entering the recovery mode, **wherein the Hello**

message comprises a non-zero Recovery Time value" recited by Claim 1. This portion of

Kompella merely describes the format of a "RESTART_CAP" object, which includes a restart

time and a recovery time. This bare reference to the existence of a recovery time value in a

RESTART_CAP object is insufficient to teach or suggest sending a Hello message comprising a

non-zero Recovery Time value to a first neighbor RSVP node, after entering recovery mode as

recited by Claim 1.

The Office Action cites Kompella Figs 6 and 8; Col 11, Lines 15-20; Col 10, Line 66 –

Col 11, Line 3; Col 23, Lines 6-21; and Col 19, Lines 10-15 for allegedly teaching "sending a

Hello message to the first neighbor RSVP node, after completing the recovery mode, wherein the

Hello message comprises a Recovery Time value of zero" recited by Claim 1. This is incorrect.

It is well known in the art that "recovery mode," as recited by Claim 1, and as applied to

restarting RSVP processes, not only occurs subsequent to the restart of such an RSVP process,

but also is initiated **only if** the forwarding state from prior to the restart was preserved. (See

Specification paragraph [0034], and RFC 3473, section 9.5.2, specifically: "If the forwarding

state was preserved, then the node initiates the state recovery process. The period during which a

node is prepared to support the recovery process is referred to as the Recovery Period.").

Therefore, a Hello message sent to indicate that the forwarding state was not preserved is not sent "after completing the recovery mode," as recited by Claim 1.

The Office Action interprets reference number 622 of Kompella Fig 6, which is labeled "advertise that forwarding state table was not preserved" to be the "Hello message" recited by Claim 1. However, Claim 1 recites that this "Hello message" is to be sent "after completing the recovery mode." In contrast, the advertisement indicated by Kompella Fig 6 at reference number 622 is used to "advertise that the forwarding state table was not preserved," and thus, is not sent "**after completing the recovery mode**," as recited by Claim 1. Kompella Col 10, Line 66 – Col 11, Line 3 and Col 11, Lines 15-20 reinforce this deficiency of Kompella with regard to the above-cited feature of Claim 1.

Furthermoe, Kompella Col 23, Lines 6-21 describes the conventional meaning of a "Recovery Time" value carried by a Hello message, indicating that "[s]etting this time to 0 indicates that the forwarding state wasn't preserved across the restart of the control component." Kompella Col 19, Lines 10-15 also indicates that a message with a recovery time set to zero may be used to indicate that the forwarding state from prior to the restart was not preserved. A message used to indicate that a forwarding state was not preserved **is not sent "after completing the recovery mode**," as recited by Claim 1.

Therefore, Kompella fails to teach or suggest "sending a Hello message to the first neighbor RSVP node, after completing the recovery mode, wherein the Hello message comprises a Recovery Time value of zero" recited by Claim 1. At most, Kompella discloses sending a Hello message to a neighbor RSVP node with a Recovery Time value of zero **only if recovery mode is not entered**.

Independent Claims 8, 14, and 20 recite features substantially similar to those of Claim 1, and are thus patentable over the cited art for at least the same reasons as Claim 1. Furthermore, Claims 2-3, 9-10, 15-16, and 21-22 each depend from one of these independent claims. Thus, these dependent claims are patentable over Kompella for at least the same reasons as those discussed in connection with the independent claims upon which they depend. As is discussed above, these independent claims recite features that Kompella does not disclose. Therefore, Claims 2-3, 9-10, 15-16, and 21-22, which inherit these features, are patentable over Kompella. Reconsideration is respectfully requested.

B.   CLAIMS 4, 6, 11, 13, 17, 19, 23, AND 25

Claims 4, 6, 11, 13, 17, 19, 23, and 25 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Kompella in view of U.S. Patent No. 7,317,731 to Seddigh et al. ("Seddigh"). The rejection is respectfully traversed. Claims 4, 6, 11, 13, 17, 19, 23, and 25 depend from independent Claims 1, 8, 14, and 20 discussed above, and are patentable over the cited references for at least the same reasons as those discussed in connection with these independent claims. As is discussed above, these independent claims recite features that Kompella does not disclose. The Office Action does not even allege that Seddigh discloses these features. Therefore, Claims 4, 6, 11, 13, 17, 19, 23, and 25, which inherit these features, are patentable over Kompella and Seddigh, even when considered in combination, under 35 U.S.C. § 103(a).

III.   CONCLUSIONS & MISCELLANEOUS

For the reasons set forth above, all of the pending claims are now in condition for allowance. The Examiner is respectfully requested to contact the undersigned by telephone relating to any issue that would advance examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If applicable, a check for the petition for extension of time fee and other applicable fees is enclosed herewith. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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